

08-07-01

RCE/2823/10



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Docket No.: M-7523 US

August 6, 2001

BOX RCE
Commissioner For Patents
Washington, D.C. 20231

Re: Applicants: Hsiao, Tommy C.; Hui, Angela T.; Ogle, Robert B.; Pham, Tuan
Duc; Plat, Marina V.; Ramsbey, Mark T.; Shen, Lewis
Assignee: Advanced Micro Devices, Inc.
Title: Polished Flash Process With Metal Gates And Improved Planarity
Serial No.: 09/430,366
Examiner: J. Chen
Docket No.: M-7523 US

Filed: October 28, 1999
Group Art Unit: 2813

Dear Sir:

Transmitted herewith are the following documents in the above-identified application:

- (1) Return Receipt Postcard;
- (2) This Transmittal Letter (in duplicate);
- (3) Request for Continued Examination (1 page);
- (4) Petition for Extension of Time (1 page);
- (5) Response to Final Office Action (11 pages).



No additional fee is required.



The fee has been calculated as shown below:

CLAIMS AS AMENDED

| | Claims Remaining <u>After Amendment</u> | | Highest No. Previously <u>Paid For</u> | | Present <u>Extra</u> | <u>Rate</u> | | Additional <u>Fee</u> |
|-------------------------------------|--|-------|--|---|-------------------------|-------------|----|--------------------------|
| Total Claims | 17 | Minus | 20 | = | 0 | x \$18 | \$ | 0.00 |
| Independent Claims | 3 | Minus | 3 | = | 0 | x \$80 | \$ | 0.00 |
| <input type="checkbox"/> | Fee of _____ for the first filing of one or more multiple dependent claims per application | | | | | | \$ | |
| <input checked="" type="checkbox"/> | Fee for Request for Extension of Time (one months) | | | | | | \$ | 110.00 |
| <input checked="" type="checkbox"/> | RCE Fee Required Under 37 C.F.R. § 1.17(e) | | | | | | \$ | 710.00 |
| <input checked="" type="checkbox"/> | Conditional Petition for Extension of Time: If an extension of time is required for timely filing of the enclosed document(s) after all papers filed with this transmittal have been considered, an extension of time is hereby requested. | | | | | | | |
| <input checked="" type="checkbox"/> | Please charge our Deposit Account No. 19-2386 in the amount of | | | | | | \$ | 820.00 |
| <input checked="" type="checkbox"/> | Also, charge any additional fees required and credit any overpayment to our Deposit Account No. 19-2386. | | | | | | | |
| | Total: | | | | | | \$ | 820.00 |

EXPRESS MAIL LABEL NO.
EL 849436115 US

Respectfully submitted,

F. Jason Far-hadian, Reg. No. 42,523
Attorney for Applicants



LAW OFFICES OF
SKJERVEN MORRILL MacPHERSON LLP

MEMORANDUM

TO: Examiner Chen
FROM: F. Jason Far-hadian
RE: Examiner Interview of August 3, 2001
DATE: August 3, 2001

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The following is a summary of a telephonic interview between Examiner Jack Chen and Applicants' Attorney, F. Jason Far-hadian, on August 3, 2001.

Applicants' Attorney called Examiner Chen to discuss a proposed response to the Office Action dated April 6, 2001. Examiner Chen agreed with the Attorney that "high temperature oxide" is a term well-known in the art, and was satisfied with the language "depositing a dielectric layer on the planar surface *directly* over the exposed top surface of the floating gate and the insulator layer." (Emphasis added).

Examiner Chen seemed to agree that Chan et al. does not teach the claims as amended, and thus could not be used as a reference in a rejection under 35 U.S.C. §102(e). He expressed his intention to conduct a further prior art search. Pursuant to the Examiner's request, the Applicants will file an RCE for this application.